

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Case No. 3:00-CV-472-GCM

_____)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
WILLIAM J. ROPER, SR.,)	
NANCY ROPER)	
WILLIAM J. ROPER, JR.,)	
DEBORAH ROPER)	ORDER
SHOPPING CENTER AT)	
510 WOODLAWN ROAD,)	
AS DESCRIBED IN DEED BOOK)	
2854, PAGE 602)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court upon the Joint Motion of the parties to amend and obtain relief from the September 8, 2009 Consent Decree and Final Judgment entered in this action. This Court has reviewed the matter and finds that the requested relief, to amend the Consent Decree as set forth in proposed Amendment No. 1, should be allowed. By approving this amendment, the Court grants the parties limited relief under Fed.R.Civ.P. 60(b) from the Final Judgment embodied in the Consent Decree, finding under Rule 60(b)(5) that it would be inequitable, under the changed factual circumstances of this case, to limit the time period for sale of the property in question to the period ending September 8, 2011, and also finding under Rule 60(b)(6) that there are valid reasons to extend the time period for sale of the property.

IT IS THEREFORE ORDERED that the Joint Motion To Amend Consent Decree and For Relief From Judgment is GRANTED.

IT IS FURTHER ORDERED that proposed Amendment No. 1 to the September 8, 2009 Consent Decree is allowed and the Court's approval thereon noted.

IT FURTHER ORDERED that in approving Amendment No. 1 the Court hereby grants the parties under Rule 60(b)(5) & (6) limited relief from the Final Judgment entered in this action on September 8, 2009.

SO ORDERED.

Signed: October 14, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

